

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/911,621	07/25/2001	Seisaku Iwasa	IS-US000501	3456	
22919	7590 12/02/2004		EXAMINER		
	SHINJYU GLOBAL IP COUNSELORS, LLP			STASHICK, ANTHONY D	
	REET, NW, SUITE 700 DN, DC 20036-2680	ı	ART UNIT	PAPER NUMBER	
	01., 20 2000 2000		3728		

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

1)⊠ Responsive to communication(s) filed on 30 July 2004. 2a)⊠ This action is FINAL. 2b)□ This action is non-final. 3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)☑ Claim(s) 1-3,5 and 7-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)□ Claim(s) 1-3,5 and 25 is/are objected to. 6)☑ Claim(s) 1-3,5 7.9-24 and 26-32 is/are rejected. 7)☑ Claim(s) 8 and 25 is/are objected to. 8)□ Claim(s) are subject to restriction and/or election requirement. Application Papers 9)□ The specification is objected to by the Examiner. 10)☑ The drawing(s) filed on 25 July 2001 is/are: a)☑ accepted or b)□ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)□ All b)□ Some * c)□ None of: 1.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority docu			Application No.	Applicant(s)			
Anthony Stashick 3728 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. THE MAILING DATE OF THIS COMMUNICATION [15] In no event, however, may a reply be timely fixed safety for the properties of the property of the period for reply specified above is less than thirty (30) days, a reply whith the ballulary information in the period for reply specified shows is less than they (30) days, a reply whith the ballulary information than 10 period with a power of the period for reply specified above is less than they do not prove the period of the score of the period for reply specified above is less than they contributed the period of the score of the period of			09/911,621	IWASA ET AL.			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Eaterwise of them reply be related under the previous of 3 CFR 1-136(s). In or event, however, may a rasyly be timely filed if the period for reply specified above is less than thinty (9)-days, a reply within the satisticy minimum of thinty (3)) days will be considered timely. If the period for reply specified above, the maximum statutory ported village year and village to this communication. Finally the period for reply specified above, the maximum statutory ported village year and village to 18 is communication. Finally within the set or estended period for reply will be presented parent term adjustment. See 37 CFR 1-704(s). Status 1)⊠ Responsive to communication(s) filed on 30 July 2004. 2a)⊠ This action is FINAL. 2b)☐ This action is round for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)⊠ Claim(s) 1-3,5 and 7-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)☐ Claim(s) is/are allowed. 6)☒ Claim(s) 3 and 25 is/are objected to . 2)☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9)☐ The specification is objected to by the Examiner. 10)☒ The drawing(s) filed on 25 July 2001 is/are: a)☒ accepted or b)☐ objected to by the Examiner. Application Papers 9)☐ The specification is objected to by the Examiner. 10)☒ The drawing(s) filed on 25 July 2001 is/are: a)☒ accepted or b)☐ objected to See 37 CFR 1.121(d). 11)☐ The oath or declaration is objected to by the Examiner. 12)☐ Craim(s) are subjected to by the Examiner. 13)☐ Copies of the priority documents have been received in Application No. 24)☐ Certified copies of the priority documents have		Office Action Summary	Examiner	Art Unit			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensible of them may be available under the provisions of 37 CFR 1.136(a). In one event, however, may a really be timely filed control for the provision of 37 CFR 1.136(a). In one event, however, may a really be timely filed control for the provision of 37 CFR 1.136(a). In one event, however, may a really be timely filed desired. - If NO period for regly a pecified above, the maximum statisticity period will apply and will expire SIX (8) MONTHS from the mailing date of the communication. If NO period for regly a specified above, the maximum statisticity period will apply and will expire SIX (8) MONTHS from the mailing date of the accommunication. Provision of the provision of the mailing date of the accommunication, even if firely filed, may reduce any search patient term adjustment. See 37 CFR 1.704(b). - Status 1) □ Responsive to communication(s) filled on 30 July 2004. - 2a) □ This action is FINAL. - 2b) □ This action is non-final. 3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) □ Claim(s) 1.3.5 and 7.32 is/are pending in the application. - 4a) Of the above claim(s) is/are endowed. - 6 □ Claim(s) 1.3.5 and 2.3 is/are objected to . - 8 □ Claim(s) 3.3.7 2.9 4 and 26.32 is/are rejected. - 7 □ Claim(s) 3.3.7 2.9 4 and 26.32 is/are rejected. - 7 □ Claim(s) 3.3.7 2.9 4 and 26.32 is/are rejected. - 8 □ Claim(s) 3.3.7 2.9 4 and 26.32 is/are rejected. - 9 □ The specification is objected to by the Examiner. - 10 □ The drawing(s) filed on 25 July 2001 is/are: a □ accepted or b □ objected to by the Examiner. - Applicant may not request that any objection to the drawing(s) be held in aboyance. See 37 CFR 1.85(a). - Replacement drawing sheet(s) including the correction is required if the drawing(s)			Anthony Stashick	3728			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION. Catestories of time many be available under the provision of 3°C.FR.1.36(a). In one event, however, may a realy be timely filed If the period for eaply specified above is less than brilly (20)-days, a reply within the satisticy minimum of thiny (30) days will be considered timely. If the period for reply specified above is less than brilly (20)-days, a reply within the statisticy minimum of thiny (30) days will be considered timely. If No period for reply specified above is less than brilly (20)-days, a reply within the statistic provision of the specific provision of the			pears on the cover sheet with the	correspondence address			
THE MAILING DATE OF THIS COMMUNICATION. Extensions of imer may be washed under by provisions of 30 CFR 1.13(a). In no event, however, may a reply be timely filed after SIX (8) MCXPTHS from the mailing date of this communication of 30 CFR 1.13(a). In no event, however, may a reply be timely filed after SIX (8) MCXPTHS from the mailing date of this communication. It is not shown to the communication of the provision of the prov		• •	Y IS SET TO EXPIRE 3 MONTH	(S) FROM			
1)⊠ Responsive to communication(s) filed on 30 July 2004. 2a)⊠ This action is FINAL. 2b)□ This action is non-final. 3)□ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4)☑ Claim(s) 1-3,5 and 7-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5)□ Claim(s) 1-3,5 and 25 is/are objected to. 6)☑ Claim(s) 1-3,5 7.9-24 and 26-32 is/are rejected. 7)☑ Claim(s) 8 and 25 is/are objected to. 8)□ Claim(s) are subject to restriction and/or election requirement. Application Papers 9)□ The specification is objected to by the Examiner. 10)☑ The drawing(s) filed on 25 July 2001 is/are: a)☑ accepted or b)□ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11)□ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12)□ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a)□ All b)□ Some * c)□ None of: 1.□ Certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority documents have been received in Application No 3.□ Copies of the certified copies of the priority docu	THE - Externation - If the - If NC - Failu Any	MAILING DATE OF THIS COMMUNICATION. nsions of time may be available under the provisions of 37 CFR 1.1 SIX (6) MONTHS from the mailing date of this communication. period for reply specified above is less than thirty (30) days, a repl period for reply is specified above, the maximum statutory period or to reply within the set or extended period for reply will, by statute reply received by the Office later than three months after the mailing	36(a). In no event, however, may a reply be till y within the statutory minimum of thirty (30) dawill apply and will expire SIX (6) MONTHS from a cause the application to become ABANDONE	mely filed ys will be considered timely. In the mailing date of this communication. ED (35 U.S.C. § 133).			
2a) This action is FINAL. 2b) This action is non-final. 3 Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4 Claim(s) 1-3.5 and 7-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5 Claim(s) is/are allowed. 6 Claim(s) is/are allowed. 6 Claim(s) and 26-32 is/are rejected. 7 Claim(s) are subject to restriction and/or election requirement. Application Papers 9 The specification is objected to by the Examiner. 10 The drawing(s) filed on 25 July 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11 The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12 Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1 Certified copies of the priority documents have been received. 2 Certified copies of the priority documents have been received in Application No 3 Copies of the certified copies of the priority documents have been received. Attachment(s) 1 Interview Summary (PTO-413) Paper No(s)/Mail Date Paper No(s)/Mail Date 5 Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date Paper No(s)/Mail Dat	Status						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-3.5 and 7-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-3.57.9-24 and 26-32 is/are rejected. 7) Claim(s) 8 and 25 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 25 July 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some on None of:	1)[🗆	Responsive to communication(s) filed on 30 Ju	uly 2004.				
closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213. Disposition of Claims 4) Claim(s) 1-3.5 and 7-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 1-3.5.7.9-24 and 26-32 is/are rejected. 7) Claim(s) 8 and 25 is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 25 July 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date			•				
A) Claim(s) 1-3.5 and 7-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 25 July 2001 is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 11 □ Notice of References Cited (PTO-892) 22 □ Notice of Paffsperson's Patent Drawing Review (PTO-948) 33 □ Information Oisdosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 51 □ Notice of Informal Patent Application (PTO-152) 63 □ Other:	3)	, 					
4) Claim(s) 1-3.5 and 7-32 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) is/are allowed. 7) Claim(s) are subject to to. 8) Claim(s) are subject to restriction and/or election requirement. Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 25		closed in accordance with the practice under E	Ex parte Quayle, 1935 C.D. 11, 4	53 O.G. 213.			
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 7) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 25 _July _2001 is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) □ Notice of References Cited (PTO-892) 2) □ Notice of Dratsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) □ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date 6) □ Other:	Dispositi	on of Claims					
4a) Of the above claim(s) is/are withdrawn from consideration. 5) □ Claim(s) is/are allowed. 6) □ Claim(s) is/are allowed. 7) □ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) □ The specification is objected to by the Examiner. 10) □ The drawing(s) filed on 25 _July _2001 is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) □ All b) □ Some * c) □ None of: 1. □ Certified copies of the priority documents have been received. 2. □ Certified copies of the priority documents have been received in Application No 3. □ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) □ Notice of References Cited (PTO-892) 2) □ Notice of Dratsperson's Patent Drawing Review (PTO-948) 3) □ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) □ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date 6) □ Other:	4) 🛛	Claim(s) 1-3.5 and 7-32 is/are pending in the a	application.				
5) ☐ Claim(s) is/are allowed. 6) ☐ Claim(s) is/are allowed. 7) ☐ Claim(s) are subject to restriction and/or election requirement. Application Papers 9) ☐ The specification is objected to by the Examiner. 10) ☐ The drawing(s) filed on 25 July 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of References Cited (PTO-892) 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) 7 Paper No(s)/Mail Date 5) ☐ Notice of Informal Patent Application (PTO-152) 7 Paper No(s)/Mail Date 7 Paper No(s)/Mail							
Solution (S) 1-3.5,7,9-24 and 26-32 is/are rejected. (T) □ Claim(S) 8 and 25 is/are objected to. (S) □ Claim(S) are subject to restriction and/or election requirement. Application Papers (S) □ The specification is objected to by the Examiner. (S) □ The drawing(S) filed on 25 July 2001 is/are: a) □ accepted or b) □ objected to by the Examiner. Applicant may not request that any objection to the drawing(S) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(S) including the correction is required if the drawing(S) is objected to. See 37 CFR 1.121(d). (S) □ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. (S) □ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). (a) □ All b) □ Some * c) □ None of: (Certified copies of the priority documents have been received. (Certified copies of the priority documents have been received in Application No (Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) (Attachment(s) □ Notice of Patent Drawing Review (PTO-948) or PTO/SB/08) Paper No(s)/Mail Date (B) □ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date (B) □ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date (B) □ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date (B) □ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date (B) □ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date (B) □ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date							
The claim(s) 8 and 25 is/are objected to. **Replication Papers** 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 25 July 2001 is/are: a) accepted or b objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date. 6) Other: 7. Paper No(s)/Mail Date. 7. Notice of Informal Patent Application (PTO-152) 8. Paper No(s)/Mail Date. 8. Paper No(s)/Mail Date. 9. Notice of Informal Patent Application (PTO-152) 9. Other:							
Application Papers 9) The specification is objected to by the Examiner. 10) The drawing(s) filed on 25 July 2001 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 20 Notice of Draftsperson's Patent Drawing Review (PTO-948) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date. 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date. 6) Other: 1. Certified Copies of Informal Patent Application (PTO-152) Paper No(s)/Mail Date. 6) Other: 1. Certified Copies of Informal Patent Application (PTO-152) Paper No(s)/Mail Date. 6) Other: 1. Certified Copies of Informal Patent Application (PTO-152)		<u> </u>					
9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 25 July 2001 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of References Cited (PTO-892) 2) ☐ Notice of Braftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) ☐ Notice of Informal Patent Application (PTO-152) 6) ☐ Other:		· · · -	r election requirement.				
9) ☐ The specification is objected to by the Examiner. 10) ☑ The drawing(s) filed on 25 July 2001 is/are: a) ☑ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in his National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of References Cited (PTO-892) 2) ☐ Notice of Braftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) ☐ Notice of Informal Patent Application (PTO-152) 6) ☐ Other:	Applicati	on Papers					
10) ☐ The drawing(s) filed on 25 July 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) ☐ All b) ☐ Some * c) ☐ None of: 1. ☐ Certified copies of the priority documents have been received. 2. ☐ Certified copies of the priority documents have been received in Application No 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) ☐ Notice of References Cited (PTO-892) 2) ☐ Notice of Braftsperson's Patent Drawing Review (PTO-948) 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) ☐ Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date Brain and Trademark Office		•	-				
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some collar None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Braftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other: 8. Patent and Trademark Office	· · · · · ·			by the Eveniner			
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d). 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date	Ю	- · · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·				
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152. Priority under 35 U.S.C. § 119 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date							
Priority under 35 U.S.C. § 119 12)	11)						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5. Patent and Trademark Office	''/	The bath of declaration is objected to by the Ex	ammer. Note the attached Office	Action of form PTO-152.			
a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other:	Priority u	nder 35 U.S.C. § 119					
1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date S. Patent and Trademark Office			priority under 35 U.S.C. § 119(a)-(d) or (f).			
2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Copies of the priority documents have been received in Application No	,-	,— ,— ,— ,—					
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5. Patent and Trademark Office							
application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date Separate and Trademark Office		_					
* See the attached detailed Office action for a list of the certified copies not received. Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date							
Attachment(s) 1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date S. Patent and Trademark Office 4) Interview Summary (PTO-413) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other:	* S						
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date							
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Paper No(s)/Mail Date	Attachman	(c)					
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) Other:	_		A) [(DTO 442)			
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date 5) Notice of Informal Patent Application (PTO-152) 6) Other:							
TOL 600 (D	3) Inform	nation Disclosure Statement(s) (PTO-1449 or PTO/SB/08) No(s)/Mail Date	5) 🔲 Notice of Informal F				
Fait of Paper No./Mail Date 11292004			tion Summary Pa	art of Paper No./Mail Date 11292004			

Application/Control Number: 09/911,621 Page 2

Art Unit: 3728

DETAILED ACTION

Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-3, 5, 7, 9-10, 12-24 and 26-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKenna 5,893,260 in view of Reichental et al. 5,794,406. McKenna '260 discloses substantially all the limitations as claimed including the following: a vertical form-fillseal packaging machine forming bags out of tubular packaging material (see Figures 5 or 13); a first transfer unit 73 for receiving separated bags that have been previously separated and are supplied to the first transfer unit by being dropped thereto in a first direction such that the bags contact the first transfer unit after the bags are separated (see col. 5, lines 63-65, the bags are separated then dropped to the conveyor belt); the first transfer unit transferring the separated bags to the downstream device by carrying the separated bags in a second direction (see Figures 5 and 13, 73 is diagonally downward which is different than vertical); the second direction being not parallel to the first direction (see Figure 5); a first drive unit for driving the first transfer unit (wheels driving belt 73 in Figure 5); the first transfer unit being a belt 73; the belt is inclined so that the bags move diagonally downward (see Figure 5, diagonally down and to the right); forming means 30 for forming the packaging material received from a supply unit into a tubular shape; pull-down means 50 for transferring the tubular-shaped packaging material downward; vertical sealing 31 means for vertically sealing an overlapped part of the tubular-shaped

Art Unit: 3728

packaging material; transverse sealing means 31 for transversely sealing the tubular-shaped packaging material to form the bags; separating means 31 for separating and ejecting each of the bags. McKenna '260 does not specifically disclose the control means and the second transfer means as well as the first transfer means being made of two belts separated by an adjustable distance. Reichental et al. '406 teaches that the transfer means of a transfer unit can be controlled by appropriate hardware and software (see col. 7, line 66-col. 8, line 7) which can memorize and control the speed of the bags during transfer as well as well as controlling the settings stored in the memory of the computer used, including intervals of the bags ejected and speed of the first drive. Therefore, it would have been obvious, in view of Reichental et al. '406, to control the speed and ejection of the bags, as taught by Reichental et al. '406, to allow for optimum performance of the system without piling bags one on top of the other. Reichental et al. '406 further teaches that the first transfer unit can be multiple belts located one across from the other whose distance between the two belts can be controlled to determine the thickness of the bag after expansion. Therefore, it would also have been obvious to make the first transfer unit of McKenna '260 with two belts, as taught by Reichental et al. '406, to allow for control of the thickness of the bag while being transferred. Reichental et al. '406 still further teaches the use of multiple transfer units controlled by hardware and software to allow for swift controlled transfer of the completed bags in an orderly fashion. Therefore, it would have been obvious to use multiple conveyors and controls to control the speed of the bags to prevent back up in the line and to maximize production.

Application/Control Number: 09/911,621 Page 4

Art Unit: 3728

3. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claim 24 above in view of Mabry 4,719,741. The references as applied to claim 24 above disclose all the limitations of the claim except for the machine including a cooling unit for spraying cool gas on the sealed part of each of the bags sandwiched between the belts. Mabry '741 teaches that after heat-sealing the bags in a form-fill-seal machine, a cool spray can be applied to the seal to cool the seal to increase strength and reduce likelihood of leakage or total failure of the seal (see col. 4, lines 30-53). Therefore, it would have been obvious to place a cooling spray, such as that taught in Mabry '741, in the machine of the references as applied to claim 24 above, to cool the seal, increase the seal strength and reduce the likelihood of leakage or total failure of the seal.

Allowable Subject Matter

4. Claims 8 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments filed July 30, 2004 have been fully considered but they are not persuasive. Applicant argues that McKenna does not meet the limitations of claims 1, 20 and 31-32 because Figure 5 shows that the bag is already contacting the conveyor before being separated. This argument is not clearly understood. As noted above, McKenna clearly states "The jaws 60 and 64 open, thereby releasing the bag 62a which **drops onto a conveyor 73** to be

moved to a stacking or use area." (emphasis added). Clearly this teaches the dropping of the bag, after being cut, onto the conveyor. With respect to the Figures of McKenna, these figures show an embodiment of the invention but do not include al possible embodiments. Therefore, after further reading of McKenna, there is no statement in McKenna which suggests that the bags are resting on the conveyor before being cut, but only that they "drop" onto the conveyor after being cut, as required by the claims of the instant application. With respect to applicants arguments directed towards Reichental et al., McKenna teaches the bags being dropped to the first transfer unit and Reichental et al. teaches that a transfer unit can be made of two belts separated from one another to control the thickness of the bag. Therefore, Reichental et al. was used to teach the difference in conveying systems. With respect to applicants arguments directed towards Mabry, Mabry was used to teach the use of a cooling unit for spray cooling seals on bags. Therefore, applicant's arguments with respect to the transfer unit are not clear.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

Art Unit: 3728

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Stashick whose telephone number is (571) 272-4561. The examiner can normally be reached on Monday through Thursday from 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mickey Yu can be reached on (571) 272-4562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

> Anthony Stashick **Primary Examiner** Art Unit 3728

ADS